

MINERS DROWNED LIKE RATS  
A RIVER BURSTS INTO A MINE

THIRTY-EIGHT MEN PERISH IN A DREADED MANNER UNDERGROUND.

A DISASTER LONG PREDICTED OCCURS.  
WITHOUT WARNING THE MICHIGAMEE RIVER BREAKS THROUGH THE ROOF OF AN IRON MINE LOCATED BENEATH IT—EIGHTEEN MEN OUT OF FORTY-SIX ESCAPE—RESPONSIBILITY FOR THE DISASTER.

Crystal Falls, Mich., Sept. 29.—With a terrific push the water of the Michigamée River broke through the roof of the mine located beneath it, and twenty-eight men perished in a dreadful manner. The water, which was at a depth of about twenty feet, burst through the roof of the mine, and the men were killed. The water was at a depth of about twenty feet, and the men were killed. The water was at a depth of about twenty feet, and the men were killed.

When the night shift went on duty it was noticed that the water was coming into the mine. The men were not alarmed, but they were not. The men were not alarmed, but they were not. The men were not alarmed, but they were not.

The news of the disaster spread on swift wings. The men were not alarmed, but they were not. The men were not alarmed, but they were not. The men were not alarmed, but they were not.

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REBEL SUCCESS IN BRAZIL.  
DESTERRO SURRENDERS TO PART OF ADMIRAL MELLO'S FLEET.

AN ARSENAL AND A VALUABLE BASE OF OPERATIONS CAPTURED—PRESIDENT PEIXOTO'S STRENGTH.

London, Sept. 29.—The Exchange Telegraph Company today received a dispatch stating that the city of Desterro, capital of the island of Santa Catharina, surrendered to-day to a detachment of the rebel Brazilian fleet. The island lies a short distance from the coast of the State of Santa Catharina, and Desterro will serve as a valuable base for Admiral Mello's forces in the conduct of the inland operations. The port is an excellent one. The city contains an arsenal which will now furnish arms and ammunition for the rebels.

A REPORTED ARREST FOR PIRACY.  
ALLEGED ATTEMPT OF A MAN THOUGHT TO BE PAUL BOYTON TO BLOW UP AN INSURGENT WARSHIP.

Washington, Sept. 29.—Some international interest has been given to the situation in Brazil through two incidents which may lead to some complications. The first of these is based on the action of merchant vessels flying the American flag in furnishing refuge to the rebel fleet, which threatens Rio Janeiro; the other is best explained by the following cable message received by the Secretary of the Navy from Captain Pickens, commander of the Charleston, and the answer sent by Mr. Herbert:

"Boynton, a United States citizen, commanding a tug, flying the British flag, arrested by British warships and delivered to me. Had torpedo on board, presumably to attack insurgent ship. Shall send him home?"

KILLED IN A RUNAWAY.  
A MAN DRAGGED A QUARTER OF A MILE TO HIS DEATH.

WILD RIDE OF A MOTHER AND HER TWO CHILDREN—HORSES FRIGHTENED BY LOCO.

James Homer was killed and John Glover had an arm broken in a runaway at Winfield, L. I., yesterday. Glover was on a furniture van handling furniture to Homer, when the locomotive of a passing Long Island Railroad train gave a shrieking whistle. This frightened the horses, and they galloped away. Homer jumped to the horses' heads and seized the bridle, but somehow he got tangled up with the reins, slipped and fell beneath the horses' hoofs and was dragged a quarter of a mile before the team could be stopped. His body was terribly mangled and his skull was crushed by a blow from one of the iron-shod hoofs. Glover escaped with a broken arm and a few bruises, but the roadman and the horses were killed.

The only accident which marred the pleasure of the visitors to the Queens County Agricultural Fair at Mineola, occurred yesterday afternoon. At 2 o'clock Mrs. George E. Scriber, of Floral Park, left the fair grounds to drive home. She had with her her four-year-old son Albert and her three-year-old boy Arthur. As she turned back onto the road, a passing locomotive whistled loudly, and the horse, taking fright, broke into a run. She saw the crowd in the road, but was unable to rein in the frightened horse. James Hagerty, of Huntington, with his wife and son, were just ahead of the runaway animal. Before they could get from the road, the father and son were both struck and killed. The mother, who was not hurt, was dragged a short distance and then killed.

To add to Mrs. Scriber's terror, her son Albert was jostled from the vehicle and thrown to the roadway. Taking the reins into one hand, she reached and clasped her son, with her other arm, to keep him from one rein with great force. She then turned the horse to one side, as she had hoped, into an open gateway some distance ahead. The gateway led into the yard of Thomas Albertson, and the horse dashed into the building, where it smashed the glass and came to a standstill. Weak and faint, Mrs. Scriber was assisted from the roadway and found that she and her child had suffered nothing more than a bad fright. She hurried back to her son Albert, and found that he was only slightly bruised.

Mr. Hagerty and his son had been picked up and removed to St. Vincent's Hospital, where they were attended by Dr. E. S. Skinned, of Mineola, who found the elder of his patients badly hurt, but in no immediate danger. Young Albert, however, is said to be in a serious condition.

MORE YELLOW FEVER CASES.  
THIRTEEN NEW ONES AND ONE DEATH AT BRUNSWICK.

THE SITUATION DISTRESSING AND HELP URGENTLY NEEDED.

Brunswick, Ga., Sept. 29.—Thirteen new cases of fever were reported to-day. Dr. Emory Fabian received a letter from Patterson, Downing & Co., of New-York, stating that there is a movement on foot to send a vessel loaded with provisions to Brunswick, with reports have been sent to the Cotton Exchange and elsewhere that these supplies are not needed, as the state of affairs is not nearly so bad as reported. If the supplies are really needed we think they will be sent. The following reply was immediately sent: "Any reports sent on that help is not needed here. The situation is distressing here. Help, and induce quick."

Washington, Sept. 29.—Surgeon-General Wyman, of the Marine Hospital service, late this afternoon received a telegram from Surgeon Murray at Brunswick, Ga., announcing one death there to-day, the wife of a man who had died of the fever. Nine persons were sent to camp. Seventy-five were discharged from the detention camp.

DESERTED ON A WEDDING-EVE.  
A TELEGRAM TELLS OF THE SECRET MARRIAGE OF HIS BRIDE.

THE ASTONISHED LAWYER RECEIVES WORD WHEN ABOUT TO START FOR HER HOME.

Samuel J. Macdonald, Assistant City Counsel in Newark, is furnishing refuge to the rebel fleet, which threatens Rio Janeiro; the other is best explained by the following cable message received by the Secretary of the Navy from Captain Pickens, commander of the Charleston, and the answer sent by Mr. Herbert:

"Boynton, a United States citizen, commanding a tug, flying the British flag, arrested by British warships and delivered to me. Had torpedo on board, presumably to attack insurgent ship. Shall send him home?"

The suggestion is made that the "Boynton" mentioned is probably Paul Boynton, the diver, who has been arrested in connection with the rebellion. The construction placed on Captain Pickens' telegram at the Navy Department is that a tug of the Brazilian Government, flying the British flag, attempted to blow up an insurgent ship. The commander of the tug, a United States citizen, was arrested by British officers on the charge of piracy in showing colors under which he had no right to sail, and was delivered to the United States naval authorities for conveyance to the United States for trial. At the State Department it is said that the incident is not at all serious.

It is now stated that the State Department has been in almost uninterrupted telegraphic communication with Minister Thompson since his arrival in Rio de Janeiro. The minister has been receiving last night and another to-day. In one of them Mr. Thompson reported that he had been furnished with provisions to the insurgent fleet, and asked for instructions. It is understood that in reply the State Department directed the minister to caution captains of the American merchantmen against giving stores to the belligerents, the United States not having recognized the rebellious faction.

GOE, TILMAN ON LYNCHINGS.  
LAWLESSNESS IS CARRIED TO FAR WHEN HE THINKS LYNCHING IS JUSTIFIABLE.

Columbia, S. C., Sept. 29.—In an interview on the recent lynching of a negro at Aiken for murder, Governor Tillman says that it is inexcusable. He was in session, and the negro could have been hanged according to law. Lynchings are getting to be a serious matter, he said, as lynchings are breaking over barriers here as elsewhere, and the lawlessness in lynching is increasing. It is impossible to do anything with the lynchings now. A climax would be reached some time, when public sentiment would turn criminal assault into the only crime for which lynching is justifiable. Lynchings are caused by delays in trials, and they are being carried out in a hasty manner, as a remedy. He has urged this on the State Legislature.

MR. ANDREWS HAS LARGE IDEAS.  
HE WANTS OVER THREE MILLION DOLLARS TO RUN THE STREET-CLEANING DEPARTMENT.

Commissioner Andrews, of the Department of Street Cleaning, sent his provisional estimates for 1904 to the Board of Estimate yesterday. They aggregate the magnificent sum of \$3,125,501.21, or almost \$3,000,000 more than was appropriated for street cleaning this year. Of the total named, \$2,725,184.21 is set down for operation as maintained. The remainder, \$399,317, is for new stock and a new plant, and is increased by \$100,000. An efficient system of street cleaning is impossible. The following items make up the grand total:

Administration, 128,500.00  
Sweeping, 1,200,000.00  
Carting, 683,833.33  
Snow and ice, 139,999.99  
Final disposition, 27,125.00  
New stock and plant, 100,000.00  
Rentals and contingencies, 129,100.00  
Total, \$3,125,501.21

FATAL COLLISION ON THE BURLINGTON.  
STREATOR, ILL., SEPT. 29.—Two freight trains were in collision on the Chicago, Burlington and Quincy Railroad, about three and one-half miles north of this city, last evening. The engineer, William Gribble, was killed, and ten other men injured. The train was carrying a large number of men, and the collision was a serious one. The train was carrying a large number of men, and the collision was a serious one.

Two lives lost by a fire. New-Orleans, Sept. 29.—A fire this morning resulted in the loss of two lives and about \$25,000 worth of property. The fire started in the brick factory of W. H. Foster, at Nos. 18 and 19 Campbell-st., shortly after 4 o'clock. While the fire was at its height a man appeared at a window in the second story of the building. Ladders were run up and firemen quickly reached the unfortunate man and brought him to the ground, but he was already dead. He was identified as W. H. Foster, the owner of the factory. Mr. Foster's wife has been seriously ill at the Hotel Dieu here. He remained with her part of last night, and died at midnight. He must have been sound asleep when the fire broke out. When the fire was under control the firemen found the charred body of a man lying on a bed. The body was identified as that of an employee in the brick factory. The origin of the fire is unknown.

RUMOR ABOUT MR. VAN ALLEN  
IS HIS NAME WITHDRAWN?

SAID TO HAVE RETIRED RATHER THAN CONTINUE UNDER FIRE.

THE STATEMENT MADE THAT THE RHODE ISLAND MILLIONAIRE HAS WRITTEN TO THE PRESIDENT THAT HE IS UNWILLING TO ACCEPT THE APPOINTMENT.

A private letter received in this city yesterday from James Van Allen, now at Newport, R. I., may mean that the man whom Mr. Cleveland sought to make American Ambassador at Rome has tired of the combat and requested the President to take him out of the way. The letter referred to was addressed by Mr. Van Allen to the manager of a press-clipping agency in this city, to whom Mr. Cleveland's appointee had given an order, after his nomination, for newspaper extracts bearing upon his appointment.

He then desired to know all that the press of the country had to say about him. Mr. Van Allen's curiosity on that subject must be fully satisfied, for he has countermanded the order and desired that no more clippings be sent to him, adding, as is positively asserted at the bureau of press clippings, that he had written the President declining the place of Ambassador to Italy, and asking that his name be withdrawn from the Senate.

COMMENTS ON THE REPORT.  
No additional information concerning Mr. Van Allen's alleged sudden retirement from the fight had been secured up to a late hour last night. Some persons who heard of the matter last night thought that, being a man of delicate sensibility, he was unable, in common parlance, to "stand the racket."

The charge that he had secured the office through his contribution of \$50,000 to the President's campaign fund lent an unusual interest to the nomination which Mr. Cleveland saw fit to make after several months of hesitation. Then the connection of the President's "close personal friends," Richard Watson Gilder and Horace White, with the case, and their earnest protest against the alleged bargain, coupled with the chivalrous attempt to raise the \$50,000 to repay Mr. Van Allen and free the President from his obligation, were additional incidents.

Mr. Whitney's "open letter," printed on Thursday, in the hands of many only clinched the ugly facts, and denoted the shading of the dark clouds which popular feeling surrounded them.

His appointment before the Senate. Mr. Van Allen's defenders seemed to have made little impression upon the Senate. All the facts and circumstances bearing upon the appointment, his political history, his relations with Mr. Cleveland, Mr. Whitney and others prominent in Democratic circles prior to his election of 1900, and Mr. Van Allen's own explanation of what the subscription for campaign purposes would bring about, were likely to be thoroughly investigated by the Senate Committee on Foreign Relations. The knowledge that this examination might result in unpleasant exposures, and give pain to the President and Mr. Whitney, may have had some weight with Mr. Van Allen, according to the judgment of some shrewd politicians.

Senate committees have often been remorseless, even when the feelings of party friends were involved. What might be developed through the investigation Mr. Van Allen probably knew as well as, if not better than, others, was one comment, "and after all, he may have been quite wise and discreet in withdrawing his name."

DEBILITATED BY THE OUTLAW.  
A BATTLE ROYAL IMMINENT BETWEEN UNITED STATES DEPUTY MARSHALS AND THE BALTIMORE GANG.

Wagoner, I. T., Sept. 29.—"Burr" Dalton, Frank Cheney and "Burr" Dalton, the noted train-robbers, are now camped near this place. They have been making nightly visits to this town, returning to their camps after spending a few hours among their old friends. Last Sunday one of the gang, Alfred Cheney, was arrested by Heck Brown, United States Deputy Marshal, while parading the streets here. Since that time they have sent word to the United States Deputy Marshals that they would be ready at any time to stand and make a fight. There are now twenty-five United States Deputy Marshals in town waiting nightly to make a raid on their camp. Before the night is over it is expected there will be a fight to death between the outlaws and the United States officers.

HEAVY RAIN IN NEW-MEXICO.  
ALBUQUERQUE, N. M., Sept. 29.—The heaviest rain-fall for several years prevailed north and west of the city yesterday, and in consequence no trains from the west or east have arrived since Tuesday night. The Atlantic and Pacific Railway is troubled with several very severe washouts, and there are a half a dozen breaks on the Santa Fe, and the Denver and Rio Grande.

THE MAN MAY HAVE BEEN MURDERED.  
GARDEN, N. J., Sept. 29.—Coroner Hopper is investigating the cause of the death of an unknown man who was found in the Delaware River to-day. There were two cuts on the left cheek bone, two gashes on the top of the head and one on the neck. The man was dressed well and wore a large cap. Coroner Hopper thinks he may have been murdered.

PITTSBURG STREET-CAR LINES REDUCE WAGES.  
Pittsburg, Sept. 29.—The employees of the Citizens' Street Railway Company have agreed to accept a reduction of 7 1/2 per cent in their pay, with the understanding that, with the improvement of business, wages will be restored to the present rate. Following the action of the Citizens' Traction Company, three additional street railway companies in Pittsburg and Allegheny have announced wage reductions, ranging from 7 1/2 to 12 1/2 per cent. It is expected that all the other companies in this city will make reductions. There is much discontent among the men, and a general strike is talked of.

TRAINMEN KILLED IN A WRECK.  
LOUISVILLE, Ky., Sept. 29.—Two trainmen were killed and several injured by the collision of a passenger train and a freight last night on the Knoxville and Cumberland Gap branch of the Louisville and Nashville, near Hazelpatch, Ky. Misunderstanding of an order by one of the train crew is given as the cause of the wreck. The train was carrying a large number of men, and the collision was a serious one.

SOBERNESS RESEMBLES THE DYNAMITE.  
Stockton, Cal., Sept. 29.—The description of Axel Sorenson, who was arrested at the request of the San Francisco police, tallies closely with that of the suspected dynamiter. He says, however, that he has a perfect alibi.

FIRST SNOW OF THE SEASON.  
CORNING, N. Y., Sept. 29.—At Corning, seven miles from here, an inch of snow and hail fell at 3 o'clock this morning.

Pittsfield, Mass., Sept. 29.—Snow fell here very briskly for half an hour this morning. The storm was a heavy one, and the snow was very deep. The storm was a heavy one, and the snow was very deep.

CHARGED WITH SETTING FIRE TO A STORE.  
The gasoline storehouse of Bernard Hammill, at New-Brunswick, was totally destroyed by fire on Friday night. The entire fire department had to be called out. The fire is supposed to have been of an incendiary origin, and the police have arrested Albert Jeffries, a colored man, fifty years old, in the employ of Dr. Baldwin, as the supposed incendiary. Last Tuesday another fire was discovered and two men saw a colored man run away from the place, answering Jeffries' description. The fire is supposed to have been of an incendiary origin, and the police have arrested Albert Jeffries, a colored man, fifty years old, in the employ of Dr. Baldwin, as the supposed incendiary.

SUNK OFF CUTTYHUNK.  
SUDDEN DISAPPEARANCE OF A LARGE STEAM YACHT.

NO TRACE OF THE UNKNOWN VESSEL FOUND BY THE TUG WHICH WENT TO HER RELIEF.

Vineyard Haven, Mass., Sept. 29.—The Weather Bureau official at Gay Head reports having sighted a large steam yacht ashore on the west end of Cuttyhunk Island this afternoon, apparently bilged. A strong northerly wind was blowing, causing a rough sea, and the vessel was in an extremely poor position. A later report from Gay Head states that the yacht suddenly disappeared late this afternoon. She apparently sank in deep water. The steam tug Ekise, which went to her relief, has returned, but saw nothing of her.

DEMOCRATS COME TO BLOWS.  
DISGRACEFUL SCENES IN THE JAMESTOWN CITY CONVENTION.

HILL AND CLEVELAND MEN FIGHT FOR THE BALLOT-BOX—TWO SETS OF DELEGATES ELECTED.

Buffalo, Sept. 29.—The long-standing Cleveland-Hill feud in Chautauque County broke out in a disgraceful way at the Democratic caucus, which were held in Jamestown to-day. Chautauque is one of the staunch Cleveland counties, and the President's followers control the party organization. Jamestown is the home of Chairman Frank E. Shearman, and is a stronghold of the Cleveland faction. When to-day's caucus met in that city, Chairman Shearman called it to order, announcing that the City Committee had selected Frank E. Shearman, George C. Vandusen and Edwin L. Derry for inspectors. They proceeded to act as such. All were Cleveland men, and the Hillites demanded the right to elect a chairman and tellers and proceeded to do so. Conrad A. Hult was elected chairman and John Mahoney and one Moynahan, tellers. They were sworn in.

In the mean time the Cleveland organization had been doing business and had received about twenty-five ballots. The Hill officers demanded the ballot-box and their demand was refused. A free-for-all fight then ensued over the ballot-box. The hall was crowded. The box was pulled from the table and an angry crowd fought for it. The crowd surged back and forth through the hall. Police-men were present but could not maintain order.

Chairman Shearman adjourned the caucus, but the fight went on. Finally the Hill men secured the ballot-box and held it near the rear door. The tellers' tables had been overturned and the Hillites trampled on the floor and covered with spilled ink and tobacco exfoliations. The records were recovered by the Cleveland men. They then withdrew a majority of those whose names appeared on the record testified that they had voted for the delegation headed by Aaron Hall. Credentials were made out for the admission of the delegation to the County Convention.

The men were fighting in such close quarters that no one was severely injured. The Hill men proceeded with their caucus, and will, as a result, also send a delegation to the County Convention. They will not be admitted, however, as that body will be in control of the Cleveland men. They will withdraw and hold another convention and send a delegation to the State Convention, where they will be admitted. The Cleveland men will get out warrants for Mr. C. J. Murphy, John Mahoney, John Moynahan and Thomas Ferrin, charging them with stealing the ballot-box.

GENERAL ELECTRIC DIRECTORS MEET.  
ACTION ON THE DIVIDEND POSTPONED—ONLY ROUTINE MATTERS CONSIDERED.

Boston, Sept. 29.—The directors of the General Electric Company have been in session since 10 o'clock. President Coffin stated that nothing but routine matters are being considered, and that the matter of the dividend will not be taken up at this meeting.

TOPICS FOR PUBLIC DISCUSSION.  
THE SCHOOL COMMISSION TO INVITE SUGGESTIONS ON LEADING POINTS IN THE EDUCATIONAL PROBLEM.

At Wednesday's meeting of the School Commission authority was given to E. Ellery Anderson, the chairman of the Commission, and to John C. Clark, the secretary, to make out a list of subjects on which the Commissioners would be glad to receive suggestions. The list of public meetings to be held in October, Mr. Anderson and Mr. Clark met at the former's office, No. 10 Wall-st., yesterday morning, and drew up a list of such topics. The most important of these is "How shall the Department of Education be constituted, and what shall be its powers. Of what class of men shall it be composed, and what shall be their functions?" Another topic for discussion will be "Who shall control the school buildings and school property, and who shall be responsible for repairs?" Another important topic is, "How shall teachers be appointed? By what trustees, by the Board of Education, or by other means?"

These topics will be itemized and printed, and copies will be given to all who desire them. The last topic for discussion is one which has long vexed the Board of Education, namely, "How shall the school money be handled, how is it to be raised, and how is it to be expended?" These topics will be itemized and printed, and copies will be given to all who desire them.

RUINED BY GRAIN SPECULATIONS.  
SAUK CENTRE, Mich., Sept. 29.—A. H. Pettit, Alderman of the First Ward, president of the Bryant Library Association, and also president of the Sauk Centre Building and Loan Association, left here four weeks ago, ostensibly for the World's Fair, but the developments of the last forty-eight hours indicate that he has no intention of returning, as there is an apparent shortage of many thousands of dollars in his accounts. A representative of the Minneapolis firm for whom Mr. Pettit was loaning money recently visited Sauk Centre, and upon checking up the books found a shortage of \$3,000 and \$3,000. Since that time many rumors have been afloat, and it is stated that Mr. Pettit's entire shortage will not fall short of \$30,000. It is stated that his downfall came as a result of heavy plunges on the Minneapolis Board of Trade. Friends of Mr. Pettit say this is the first time he has played "change," and lost a fortune.

WITNESS FROM NEW-HAVEN.  
JULIUS PROKOSKY WAS NEXT CALLED BY MR. BROOKE.

Q.—What is your business, Mr. Prokowsky? A.—I keep the best-known saloon in Connecticut, the Yale House in New-Haven. Q.—Where were you on the evening of June 5? A.—Yes. Q.—Where were you? A.—I was walking down Park-st. to go to Trainor's to get my dinner. Q.—When you got to Trainor's did you see any one? A.—Yes. I saw two men walking toward each other. I recognized them as Mr. Henriques and Mr. Ellison, both of whom I used to know when I was the steward at the Lotus Club. Q.—What did they do when they came together? A.—Ellison tapped Henriques on the shoulder. Q.—What did Mr. Henriques do? A.—He drew a revolver from his pocket, aimed it at Ellison and fired. Q.—Then what happened? A.—Mr. Ellison stepped to one side, the ball not hitting him, then he hit Henriques and knocked him down. A crowd then came up, and I did not see either man until Mr. Henriques was being led away by two men. I then saw a policeman take Ellison, and I went up and got the policeman to let Ellison go. On cross-examination the witness said that Mr. Henriques showed no inclination to get away from Ellison; that after Mr. Ellison had placed his hands on Mr. Henriques' shoulder the two began to talk, and that shortly after that the pistol was fired. Q.—You say, Mr. Prokowsky, that you keep a hotel in New-Haven? A.—Yes, sir. Q.—Was not your hotel closed on account of gambling the evening of June 5? A.—Yes.

FRANK ELLISON'S PERJURY.  
HE ADMITS IT ON THE STAND.

A CONFESSION THAT HE SWORE FALSELY IN MRS. NEAME'S DIVORCE SUIT.

HIS OWN ACCOUNT OF THE ASSAULT ON MR. HENRIQUES SHOWS THAT IT WAS ENTIRELY UNJUSTIFIABLE—A WITNESS WHO HURT THE DEFENCE.

Frank Ellison admitted boldly in his cross-examination before Recorder Smyth last night that he had committed perjury in the suit which Mrs. Neame brought against her husband for a divorce. His trial for assault on William H. Henriques had continued all day, and he was cross-examined late last evening.

He was a witness in the divorce case. While giving his testimony he swore that he and Mrs. Neame were not engaged to be married as soon as she secured her divorce. Last night Ellison admitted frankly that in giving this testimony he had committed perjury. He had done this, he said, because Mrs. Neame had asked him to do so.

Ellison also gave his version of the meeting in Thirty-ninth st. which resulted in the assault. Assistant District-Attorney Wellman gave him an extremely uncomfortable hour by seeking information about numerous flights in public places in which Ellison has been engaged within the last few years.

Ellison's own story of the encounter puts him in a bad light. He admitted that he attacked Mr. Henriques after he had put his pistol in his pocket. All the fight, in fact, occurred after the pistol was put away, according even to the account given by the defendant himself. Outside of the testimony given by Ellison himself, the proceedings of the day consisted mainly of the examination of witnesses favorable to the defendant. Several of them were extremely positive in their assertions about the fight, and swore that Ellison committed the assault solely in self-defence. The testimony of those witnesses was greatly shaken, however, by the rigid and merciless cross-examination of Mr. Wellman. Some of the witnesses showed up in an extremely bad light. All told, they did not shake, to any extent, the prosecution's theory of the case, that a weak old man was brutally assaulted by an athlete many years his junior.

THE TESTIMONY IN DETAIL.  
LITTLE ACCOMPLISHED BY THE DEFENCE WITH ITS WITNESSES.

OPENING ADDRESS OF DR. W. J. O'SULLIVAN—SORRY SHOWING MADE BY THE MAN TO WHOM MR. BROOKE GAVE CLOTHING AND MONEY.

The case was opened in the morning by Mr. Brooke, who recalled Mr. Henriques to the stand. Q.—Did you say to Mr. Mahoney who testified yesterday that you were a poor shod and that you missed your man A.—Yes. At least I do not remember saying it. Q.—Will you swear that you did not? The Recorder instructed Henriques not to answer. McMahon was then called. Examined by Mr. Brooke: Q.—Did you hear Mr. Henriques make such a remark? A.—I did not. Dr. O'Sullivan then opened the case for the defence. He said he had endeavored to keep the family matters of Mr. Henriques out of the case, but the prosecution had not allowed him to do this. He spoke bitterly of Mrs. Neame and said that while she would prove that she was an affectionate relations with Ellison, she had sworn on the stand that she hated him. He described the encounter, in which he said that Ellison had acted in self-defence.

FIRST WITNESS FOR THE DEFENCE.  
JOHN REILLY WAS THE FIRST WITNESS CALLED FOR THE DEFENCE.

Q.—Where were you on the night of June 5? A.—Going to my work. I passed through Thirty-ninth-st. Q.—Did you hear a pistol shot? A.—Yes. Q.—Did you see any one? A.—I saw an old man being helped along the street by two men. He was not cross-examined. Dr. Lewis Hallock was the next witness. He said that he lived at No. 4 East Thirty-ninth-st., and that on the evening of June 5 his servant called his attention to a fight that was going on near his house. "I went to my door and saw an old man lying in the gutter. He rose as I thought to speak to the man in front, but that man struck him with his cane, and a crowd gathered and no one would see me." Sheppard Derry, Dr. Hallock's servant, was called. He corroborated what the doctor said. Albert V. De Gouira, a member of the Stock Exchange, was called to show the condition of Mr. Henriques in August while he was attending to his business in Wall-st. He said Mr. Henriques seemed pretty well, but he carried a cane. Samuel Landburg, another member of the Stock Exchange, testified to the same facts.

THE STORY OF A. E. STEELE.  
ANDREW R. STEELE, OF NO. 154 EAST TWENTY-THIRD-ST., GAVE THE FOLLOWING STORY OF WHAT HE SAW ON THE EVENING OF JUNE 5.

I happened to look toward Park-st. as I walked by Thirty-ninth-st. I saw two men talking together. The smaller man was excited. The taller one was cool. They talked for a moment, then I saw the smaller man pull out a revolver and aim it at the taller man's stomach. He fired it. The tall man stepped to one side, and then he fired it. He fell into the gutter and lay on his back. The taller man then struck him with his cane and told him to give him his pistol. Afterward when the old man had been taken away by two men, the tall man said: "I wish any other man had fired that shot but me."

On cross-examination the witness said he had been employed in the Philadelphia Postoffice two years ago, and that he had been discharged for neglect of duty. After living at home for a time he came to this city and worked in stable. Mr. Brooke made him admit that he had lived on seventy-five cents a week and that the defence had employed him to look for a witness named Henry Palmer, and that Mr. Brooke had paid his expenses and bought him a suit of clothes, so that he might present a better appearance. Mr. Brooke recess was then called. After recess Mr. Brooke began to put questions to Steele again. An affidavit was shown to Steele by Mr. Brooke. He said that he was at Mr. Brooke's office on June 2, 1893, and that he had then made the affidavit shown. The affidavit was his statement of the encounter between Ellison and Henriques. Steele said that he had never been arrested for a crime, but that he had been arrested for drunkenness. He also said that he was trying to lead a better life now.

A WITNESS FROM NEW-HAVEN.  
JULIUS PROKOSKY WAS NEXT CALLED BY MR. BROOKE.

Q.—What is your business, Mr. Prokowsky? A.—I keep the best-known saloon in Connecticut, the Yale House in New-Haven. Q.—Where were you on the evening of June 5? A.—Yes. Q.—Where were you? A.—I was walking down Park-st. to go to Trainor's to get my dinner. Q.—When you got to Trainor's did you see any one? A.—Yes. I saw two men walking toward each other. I recognized them as Mr. Henriques and Mr. Ellison, both of whom I used to know when I was the steward at the Lotus Club. Q.—What did they do when they came together? A.—Ellison tapped Henriques on the shoulder. Q.—What did Mr. Henriques do? A.—He drew a revolver from his pocket, aimed it at Ellison and fired. Q.—Then what happened? A.—Mr. Ellison stepped to one side, the ball not hitting him, then he hit Henriques and knocked him down. A crowd then came up, and I did not see either man until Mr. Henriques was being led away by two men. I then saw a policeman take Ellison, and I went up and got the policeman to let Ellison go. On cross-examination the witness said that Mr. Henriques showed no inclination to get away from Ellison; that after Mr. Ellison had placed his hands on Mr. Henriques' shoulder the two began to talk, and that shortly after that the pistol was fired. Q.—You say, Mr. Prokowsky, that you keep a hotel in New-Haven? A.—Yes, sir. Q.—Was not your hotel closed on account of gambling the evening of June 5? A.—Yes.

CONDENNING LYNCHINGS IN THE SOUTH.  
LOCKPORT, N. Y., Sept. 29.—A public meeting was held here last evening for the purpose of protesting against the lynching of negroes in the South. Mayor Garrison presided, and resolutions were passed condemning these outrages.